IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 4427 of 1998

Between:

1. Bayyapu Dharma Raju, S/o.Subba Raju, Age:70 Yrs., Bodemma Hotel Centre, Vijayawada, Vijayawada Rural Mandal, Krishna District, Shop No.6, Kaleswara Rao Market, Canal Road, Near Imdadghar Buildings, Vijayawada.

2. Sunkara Satyanarayana S/o.Seetharamaiah, Age:61 Yrs., H.No.33.9.11, Sitharamaiah, Vijayawada, Shop No.14, Bandar Road, Old Bus Stand Area, Vijayawada, Krishna District.

3. Chenumolu Chalapathi Rao, S/o.Madhava Rao, Age:35 Yrs., Central Excise Colony, Vijayawada-8, Krishna District, Shop No.15, Swarnalok Complex, Apsara Talkies Centre, Vijayawada, Krishna District.

4. Maganti Sridhar S/o.Rama Rao, Age:22 Yrs., H.No.54.16.7, Layola Gardens, Vijayawada-8, Vijayawada Rural Mandal, Krishna District, Shop No.16, Fish Market Centre, Besent Road, Vijayawada, Krishna District.

5. Yerdluri Pullaiah S/o.Machierlaiah, Age:40 Yrs., D.No.40.5.19/5, Tikkil Road, Kadmbavari Apartments, Vijayawada, Vijayawada Rural Mandalam, Krishna Dist., Shop No.19, Poornanandampet, Goldencafe Centre, Vijayawada, Krishna District.

6. Ginjapalli Janardhan Rao S/o.Gopaiah, Age:46 Yrs., Sitharamapuram, Jaggaiahpet Mandalam, Krishna District, Shop No.72, Jaggaiahpet Bus Stand Area, Jaggaiahpet Mandal, Krishna District.

7. Kanagala Srinivasa Rao S/o.Venkateswar Rao, Age:35 Yrs., Sitharamapuram, Jaggaiahpet Mandalam, Krishna District, Shop No.73, Mutyala Road, Jaggaiahpet Mandalam, Krishna District.

8. Muthineni Vijaya Sekhar S/o.Satyanarayana, Age:42 Yrs., Chillakallu Village, Jaggaiahpet Rural Mandalam, Krishna District, Shop No.180, Chillakallu Village, Jaggaiahpet Rural Mandalam, Krishna District.

9. Vemulapalli Ananda Prasad, S/o.Seethaiah, Age:36 Yrs., Madhuranagar, Nizamabad District, Shop No.181, Sharemohammadpet Village, Jaggaiahpet Rural Mandalam, Krishna District.

10. Karnati Venkata Rao S/o.Narayana, Age:36 Yrs., Kanneveedu Village, Vatsavai Rural Mandalam, Krishna District, Shop No.176, Vatsavai Village, Vastavai Rural Mandalam, Krishna District.

11. Hari Narasimha Rao S/o.Chinna Basavaiah, Age:50 Yrs., Idugapalli Village, Bastavari Mandalam, Krishna District, Shop No.177, Makkapeta village, Vastavari Rural Mandal, Krishna District.

..... PETITIONERS

AND

1. Prohibition & Excise Superintendent, Krishna, at Machilipatnam, Krishna District.

2. The Assistant Commissioner of Prohibition & Excise, Machilipatnam, Krishna District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ preferably in the nature of Mandamus and declare the show-cause notice issued to the petitioners under Rule 28 of the Andhra Pradesh Excise (Indian Liquor/Foreign Liquor Licenses) in retail sale condition/rules of 1993 as amended for suspension or cancellation of licenses of the petitioners shops as illegal and void under Article 226 of the constitution of India.

Counsel for the petitioners: None present since the Advocate expires.

Counsel for the Respondents: G.P. for Prohibition & Excise.

The Court made the following Order:

Since the learned counsel for the petitioners Smt.V.Laxmi Devi expired, notices were sent to the petitioners in pursuance of the orders of this Court dated 12-09-2002. Though notices were served on petitioners 2,6,8,10 and 11, no fresh Vakalat has been filed on their behalf so far, and notices sent to the other petitioners were returned un-served. Obviously, the petitioners are not interested in prosecuting the writ petition.

The writ petition is accordingly dismissed for non-prosecution. No costs.

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07-10-2004

kdl

To

1. Prohibition & Excise Superintendent, Krishna, at Machilipatnam, Krishna District.

2. The Assistant Commissioner of Prohibition & Excise Machilipatnam, Krishna District.

3. Two C.Cs. to the Government Pleader for Prohibition &

Excise, High Court Buildings, A.P., Hyderabad (OUT).

4. Two C.D. Copies.